IFW

OT 12 2004 G

Application Number 10/821,774

Filing Date April 8, 2004

			ng Date	April 8, 2004		
TRANSMITTAL FORM			it Named Inventor	Calum Murray		
(to be used for all correspondence during pe filed application)	ndency of	Gro	oup Art Unit Number	2131		
		Exa	aminer Name	Unknown		
Total Number of Pages in This Submission	5	Attorney Docket Number		16319-082	93	
ENCL	OSURES	(cl	heck all that apply	<u>'</u>)		
Fee Transmittal Form (in duplicate)			Issue Fee Transr			
Check Enclosed			Letter to Chief Dr	aftsperson	•	
Return Receipt Postcard			Formal Drawing(s			
Response to Notice to File Missing Part	ts			s) of Figure(s) [1	
Assignment & Recordation Cover Shee			Appeal Commun			
Declaration			Interferences	*	, ,	
Power of Attorney		Appeal Communication to Group				
Application Data Sheet		(Appeal Notice, Brief, Reply Brief)				
Information Disclosure Statement & PT		Certified Copy of Priority Document(s)				
Copies of IDS Cited References			After Allowance	Communication	to Group	
Request for Corrected Filing Receipt			님			
Request for Correction of Recorded Assignment			<u> </u>			
Amendment/Response: [] Page(s)					`	
After Final						
Status Request						
Revocation and Substitute Power of Attorney						
REMARKS:					*****	
SIGNATURE OF, ATTORNEY OR AGENT						
Signature:						
Attorney/Reg. No.: Jennifer R. Johnson, Reg. No. 50,784 Dated: October 6, 2004						
CERTIFICATE OF MAILING						
I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" septice pursuant of 37 CFR 1.10.						
Signature:	N					
Typed or Printed Name: Jennifer R. Joh	nson		<u> </u>	Dated:	October <u>6</u> , 2004	
Express Mail Mailing Number (optional):						

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Calum Murray and Jeff Mendonca

APPLICATION NO .:

10/821,774

FILING DATE:

April 8, 2004

TITLE:

Recovery Access to Secure Data

EXAMINER:

Unknown

GROUP ART UNIT:

2131

ATTY. DKT. NO.:

16319-08293

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: October 6, 2004

Johnson, Reg.

MAIL STOP AMENDMENT COMMISSIONER FOR PATENTS P.O. BOX 1450 **ALEXANDRIA, VA 22313-1450**

INFORMATION DISCLOSURE STATEMENT Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

\boxtimes	within three months of the filing date of the application, or date of entry into
	the national stage of an international application, or before the mailing date of
•	a first office action on the merits, whichever event last occurred;
	after three months of the filing date of this national application or the date of
	entry of the national stage in an international application, or after the mailing
	date of the first official action on the merits, whichever event last occurred, but

before	the ma	iling date of the first to occur of either: (1) a final action under						
37 CF	R §1.11	3; or (2) an action that otherwise closes prosecution in the						
applica	application, and:							
	attacl	hed hereto is the fee set forth under 37 CFR §1.17(p) for						
	subm	ission of this Information Disclosure Statement under 37 CFR.§						
	1.97(c); OR						
	Appli	icant certifies pursuant to 37 CFR § 1.97(e) that:						
		each item of information contained in this Information						
		Disclosure Statement was first cited in a communication from						
		a foreign patent office in a counterpart foreign application not						
		more than three months prior to the filing of this Statement;						
		OR						
,		no item of information contained in this Information						
		Disclosure Statement was cited in a communication from a						
		foreign patent office in a counterpart foreign application and,						
		to the knowledge of the person signing this certification after						
		making reasonable inquiry, no item of information contained						
		in this Statement was known to any individual designated						
		under 37 CFR § 1.56(c) more than three months prior to the						
		filing of this Statement;						
on or	before	the payment of the issue fee but after the mailing date of the first						
to occ	cur of e	ither: (1) a final action under 37 CFR § 1.113; (2) a notice of						
allow	ance ur	nder 37 CFR § 1.311; or (3) an action that otherwise closes						
prose	cution i	in the application, and:						
	Appl	icant certifies pursuant to 37 CFR. § 1.97(e) that:						
		each item of information contained in this Information						
		Disclosure Statement was cited in a communication from a						
		foreign patent office in a counterpart foreign application not						
		more than three months prior to the filing of this Statement;						
		no item of information contained in this Information						
		Disclosure Statement was cited in a communication from a						
		foreign patent office in a counterpart foreign application and,						
		to the knowledge of the person signing this certification after						
		making reasonable inquiry, no item of information contained						
	*	in this Statement was known to any individual designated						
		under 37 CFR § 1.56(c) more than three months prior to the						
		filing of this Statement; AND						

		attached hereto is the fee set forth under 37 CFR §1.17(p) for					
		submission of this Information Disclosure Statement under 37 CFR.§					
		1.97(c); OR					
		after the payment of the issue fee. Applicant requests that the information					
		contained in this Information Disclosure Statement be placed in the file					
		according to 37 CFR § 1.97(i), although the information may not be					
		considered by the USPTO.					
	\boxtimes	Enclosed is a copy of each listed reference that may be material to the examination of					
		this application, and for which there may be a duty to disclose.					
		This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior					
		application No, filed on, and the references cited therein are					
		referenced, but are not required to be provided in this application under 37 CFR §					
•		1.98(d).					
		This application was filed after June 30, 2003. Therefore, pursuant to the waiver of					
		the requirements under 37 CFR 1.98(a)(2)(i), copies of each U.S. Patent and each					
		U.S. Patent Application Publication are not required to be submitted. Copies of any					
		foreign patent documents and non-patent literature cited herein are enclosed.					
		Each item of information contained in this Information Disclosure Statement was					
		cited in a communication from a foreign patent office in a counterpart application,					
		and the communication was not received by any individual designated in 37 CFR §					
		1.56(c) more than thirty days prior to the filing of this Information Disclosure					
		Statement. 37 CFR § 1.704(d).					
	\boxtimes	Applicant submits that no fee is required for the consideration of this Information					
		Disclosure Statement.					
	Consid	eration of the listed references and favorable action are solicited.					
		Respectfully submitted,					
		CALUM MURRAY AND JEFF MENDONCA					
Dated:	Octobe	r 6,2004 By:					
		Jennifer R. Johnson, Reg. No. 50,784					
		Fenwick & West LLP					
		Silicon Valley Center 801 California Street					
		Mountain View, CA 94041					
		Tel.: (650) 335-7213					
		Fax.: (650) 938-5200					

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO	Complete if Known		
TINEORMATION DISCLOSURE	Application No.	10/821,774	
STATEMENT BY APPLICANT	Filing Date	April 8, 2004	
SIMILEMENT BY APPLICANT	First Named Inventor	Calum Murray	
CT 1 2 2004 (2)	Art Unit	2131	
ابَيَ	Examiner Name	Unknown	
Sheet 1 of 1	Attorney Docket Number	16319-08293	
COEND			

			U.S. PATENT DO	CUMENTS	
		Document No.			
Examiner Initials*	Cite No.1	Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	
		US-			
		US-			
		US-			·
		US-			

FOREIGN PATENT DOCUMENTS					
		Foreign Patent Document			
Examiner Initials*	Cite No.1	Country Code ³ – Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶
		1			
		,			

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T⁵
	Α	Information page, "Adaptive Server Anywhere SQL Reference Manual" [online], October 2002, MSIT Store [retrieved on September 24, 2004]. Retrieved from MSIT Online Store.	
	В	-ec server option, "Adaptive Server Anywhere Database Administration Guide 5. The Database Server" [online], October 2002, MSIT Store [retrieved on September 24, 2004]. Retrieved from MSIT Online Store,	

Examiner	Date	
Signature	Considered	
- 3		
I .		1

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.